



[WWW.RIVKINRADLER.COM](http://WWW.RIVKINRADLER.COM)

**PRISCILLA D. KAM**

(516) 357-3341

[priscilla.kam@rivkin.com](mailto:priscilla.kam@rivkin.com)

926 RXR Plaza  
Uniondale, NY 11556-0926  
**T** 516.357.3000 **F** 516.357.3333

April 23, 2019

**By ECF**

Honorable Judge Sanket J. Bulsara  
United District Court Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**Re:     Government Employees Ins. Co., et al. v. Epione Medial, P.C. et al.  
Docket No. 18-cv-03159(SJ(SJB))**

Dear Magistrate-Judge Bulsara:

This firm represents Plaintiffs (collectively, “GEICO”) in the above referenced matter. I submit this joint status on behalf of GEICO and all Defendants pursuant to the Court’s Status Report Order of April 9, 2019 regarding whether the Court should proceed with the settlement conference currently scheduled for May 9, 2019. Unfortunately, due to the fact that Defendants have yet to fully respond to Plaintiffs’ discovery demands, and because Plaintiffs’ Motion to Compel, filed March 21, 2019 (Docket No. 55) remains pending, the parties are not in the position to participate in a meaningful settlement conference on May 9, 2019.

As the Court is aware, on February 14, 2019, Defendants requested an adjournment of the February 27, 2019 settlement conference on the grounds that the parties were still exchanging discovery, and that Defendants would be producing “thousands of documents in patient files... to Plaintiff shortly.” (Docket No. 45). To-date, Defendants have not (i) produced any of the claims files referenced in its February 14, 2019 request, nor (ii) fully responded to certain other discovery demands made by GEICO as set forth in its pending Motion to Compel (Docket No. 55).

Based on the foregoing, Plaintiffs have no choice but to consent to an adjournment of the May 9, 2019 settlement conference.

Thank you for your attention to this matter.

Respectfully submitted,

RIVKIN RADLER LLP

/s/

Priscilla D. Kam

**cc:     All counsel via ECF**

9 Thurlow Terrace  
Albany, NY 12203-1005  
**T** 518.462.3000 **F** 518.462.4199

21 Main Street, Court Plaza South  
West Wing, Suite 158  
Hackensack, NJ 07601-7021  
**T** 201.287.2460 **F** 201.489.0495

477 Madison Avenue  
New York, NY 10022-5843  
**T** 212.455.9555 **F** 212.687.9044

2649 South Road  
Poughkeepsie, NY 12601-6843  
**T** 845.473.8100 **F** 845.473.8777